

# Notice of Allowability

Application No.

10/686,418

Examiner

Chuck O. Kendall

Applicant(s)

CZERWONKA, JACEK A.

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/03/07.
2. ☒ The allowed claim(s) is/are 1-12, and 14-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 08/16/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

TUAN DAM  
SUPERVISORY PATENT EXAMINER

### **Examiners Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jens Jenkins registration no. 44,803, on August 16, to more particularly point out the claimed limitations.

Authorization was also given on 08/20/07 to cancel claim 13.

The proposed amendment dated 07/07/06 has been accepted and adopted by the Examiner-see attachment herein.

The application has been amended as follows:

#### **IN THE CLAIMS**

2. Please cancel claim 13 and amend Claim 1 as attached hereto see page 5.

#### **CLAIM 13 (Cancelled)**

See attached document as proposed by Applicant to amend claims

### **Reasons for Allowance**

3. Examiner has reviewed and considered Applicant's arguments as indicated in Applicant's amendment of 08/03/07 and current Examiner's amendment of 08/17/07 and as per Applicant's arguments on pages 9 – 11, claims 1 – 12 and 14 – 23 are now in condition for allowance.

The following is an Examiner's statement of reasons for allowance.

The prior art of record does not teach or fairly suggest at least the limitations of:

“...generating a list of subsequences from the elements, each subsequence being of fixed length and comprising N elements, and the list comprising all possible subsequences of length N of elements within the model, such that every possible subsequence of elements of length N is represented within the list;

removing from the list of subsequences each subsequence having been designated as invalid in a predefined list of invalid subsequences; and

generating a list of test cases by concatenating from the list of subsequences, wherein each test case comprises M elements, and such that each valid subsequence appears at least once within the list of test cases ” and as best illustrated by Figure. 4, in such a manner as recited in independent claims 1, 14 and 18.

Therefore, all claims 1 –12, and 14 – 23 are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Correspondence Information**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-2723698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-2723695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**TUAN DAM**  
SUPERVISORY PATENT EXAMINER

1. (Currently Amended) In a computing environment, a method for determining sequences of elements of computer operations for inclusion in test cases, the method comprising:

receiving an original model of computer operations comprising a plurality of elements, the elements representing operations to test;

receiving as input an interger  $N$ , ~~representing a length of subsequences~~,  $N$  being greater than or equal to 2, wherein  $N$  represents the length of subsequences of elements to be composed for test cases;

receiving as input an integer  $M$  representing the maximum length of a test case;

generating a list ~~of fixed length~~ subsequences from the elements, each subsequence being of fixed length and comprising  $N$  elements, and the list comprising all possible subsequences of length  $N$  of elements within the model, such that ~~each every~~ possible subsequence of elements of length  $N$  is represented within the list;

removing from the list of subsequences each subsequence having been designated as invalid in a predefined list of invalid subsequences; and

generating a list of test cases by concatenating subsequences from the list of subsequences, wherein each test case comprising comprises  $M$  elements, from the list of subsequences, and such that each valid subsequence appears at least once within the list of test cases.